

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No: 04-3807

IN RE: DAVID J. CEGAN

DAVID J. CEGAN,
Appellant
v.

LINDA CEGAN

Appeal from the United States District Court
for the Western District of Pennsylvania
(Civ. No. 03-cv-01876)
District Judge: Hon. Thomas M. Hardiman

Submitted pursuant to Third Circuit LAR 34.1(a)
Friday, September 23, 2005

Before: ROTH, McKEE and FISHER,
Circuit Judges

ORDER AMENDING OPINION

IT IS HEREBY ORDERED that the Slip Opinion filed in this case on October 17, 2005, be amended as follows:

Delete the last sentence of the first full paragraph on page 4, which reads “David thus argues that the cash award was incident to the equitable distribution award, and was therefore excepted from discharge under § 523(a)(5)” and replace with “David thus argues that the cash award was incident to the equitable distribution award, and was therefore not excepted from discharge under § 523(a)(5).”

BY THE COURT:

/s/ Theodore A. McKee
Circuit Judge

Dated: December 5, 2005
DMM/cc: Stuart M. Levine, Esq.
Donald R. Calaiaro, Esq.